

Application number: 09/628098

Art Unit: 3624

Applicant: Khai Hec Kwan

Examiner: Thu Thao Havan.

Title: Computer System and Method for online display, negotiation and management of loan syndication over computer network.

receiving a request to originate a loan facility to post a requirement to syndicate a loan facility by a first entity over a network;

5 displaying information about said requirement accessible by a plurality of entities over a network;

in response to said requirement, receiving offers from one or more second entities wherein said offer includes at least a comment over a network;

10 enabling negotiating first entity to negotiate with second entity over a network about committing at least a portion of said loan facility from which a loan facility might be agreed with potential lenders; and

15 adapting at least negotiated terms of loan to be incorporated in said loan facility whereby first entity is different to second entity.

20 Claim 2. (Currently Amended) The method as described in claim 1 includes the step to anonymize the identities of the entities, final borrower and potential lenders at their discretion.

25 Claim 3. (Currently Amended) The method as described in claim 1 includes a feedback routine wherein feedback submitted is accessible by a plurality of entities over said network.

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Claim 4. (Currently Amended). The method in claim 1 further including the steps :

receiving acceptance by final borrower and creating the said loan facility.

5 Claim 5. (Currently Amended). The method in claim 1 further includes an auction routine for potential lenders-entities to place loan commitment bids and whereby more than one entity can be selected forming the syndication.

10 Claim 6. (Currently Amended) The method in claim 1 ~~further includes a step for potential lenders to post their lending requirements, wherein said requirement is a lending then first entity is a potential lender and second entity is a loan syndicator.~~

Claim 7. (Canceled)

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Claim 8. (Currently Amended). The method as described in Claim 1 includes a step:

adapting at least negotiated terms of loan to be incorporated in said loan facility.

20 ~~aggregating commitments from more than one potential lender; and~~

~~whereby each commitment relates to different portion of said loan.~~

25 Claim 9. (Currently Amended) The method as described in claim 1 ~~includes a step to manage loan facility, wherein said requirement is an origination then first entity is a loan syndicator and second entity is potential lender.~~

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Claim 21. (Currently Amended) An apparatus for syndicating a loan, comprising:

a programmed computer, further comprising:

a memory having at least one region for storing executable program code; and

5 a processor for executing the program code stored in the memory, wherein the program code, further comprising:

~~code to receive a loan origination request;~~

~~code to accept a plurality of potential lenders' commitments;~~

10 ~~code to aggregate said commitments; and~~

~~whereby each commitment relates to different portion of said loan.~~

code to receive a request to post a requirement to syndicate a loan facility by a first entity over a network;

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code to display information about said requirement accessible by a plurality of entities over a network;

20 code for receiving offers in response to said requirement from one or more second entities wherein said offer includes at least a comment over a network;

code for enabling first entity to negotiate with second entity over a network about committing at least a portion of said loan facility; and

25 whereby first entity is different to second entity.

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Claim 22. (Currently Amended). The apparatus according to claim 21, wherein program code further include codes for an auction routine and whereby more than one entity can be selected forming the syndication.

5 Claim 23. (Currently Amended). The apparatus according to claim 21, wherein program code further include codes implementing a feedback routine wherein feedback submitted is accessible by a plurality of entities over said network.

10 Claim 24. (Currently Amended). The apparatus according to claim 21, ~~includes a loan management system wherein~~ program code further include codes to anonymize the identities of said entities.

15 Claim 25. (Previously Presented) Computer executable software code stored on a computer readable medium, the code for negotiating and managing a loan syndication implementing the method of Claim 1.

Claim 26. (Previously Presented) A system for negotiating and managing loan syndication over a network implementing the method of claim 1.

20 Claim 27. (Previously Presented) A system for negotiating and managing loan syndication over a network implementing the method of claim 2.

25 Claim 28. (Previously Presented) A system for negotiating and managing loan syndication over a network implementing the method of claim 4.

Claim 29. (Previously Presented) A system for negotiating and managing loan syndication over a network implementing the method of claim 5.

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Claim 30. (Previously Presented) A system for negotiating and managing loan
syndication over a network implementing the method of claim 6.

5 Claim 31. (Previously Presented) A system for negotiating and managing loan
syndication over a network implementing the method of claim 8.

Claim 32. (Previously Presented) A system for negotiating and managing loan
syndication over a network implementing the method of claim 9.

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Summary of our response.

15 In Louie, US 2001/0054022 application has a filing date March 21 2001 which is after
our filing date July-27-2000. However, Louie's application is claiming the benefit of an
earlier filing date from a provisional application 60/192 098 (filing date March 24 2000).
The issue here is whether the subject matter relied by the examiner in US 2001/0054022
is also found in the earlier provisional application. Unless the subject matter relied upon
20 is found, then the Applicant submits that the earlier filing date could not be relied on for a
102(e) rejection. The examiner is silent on the matter of demonstrating that actual
common subject matter exist between the provisional application 60/192 098 and the one
presented here as publication US 2001/0054022. Procedurally, demonstration of such
commonality for the purposes of Sections 120/112 support is required under case law Re
25 Wertheim, 646 F.2d 527,537,209 USPQ 554, 564 (CCPA 1981).

The applicant has reviewed the earlier application 60/192 098 and found most of the
subject matters (ie description or teaching) relied upon by the examiner in US
2001/0054022 are lacking in the earlier application. Without "description" of what was

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